

## REMARKS

Claims 1, 2, 9-11, 15, 20, 26, 28 and 29 are amended to more clearly define the invention.

Support for the amendments that indicate the system initiates “execution of performance” of a “sequence of tasks” “without scheduling said performance and associated intervening scheduling time delay” (e.g., of claim 1), is found in the exemplary operation description between Application page 7 line 23 and page 8 line 28 and specifically on page 8 lines 26 – 28 and in Figures 2 and 6 and other places.

*I. Rejection under 35 U.S.C. 102(b)*

Claims 1, 2, 3, 6, 9-13, 19-23 and 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,692,125 – Schloss et al. These claims, as amended, are deemed to be patentable for the reasons given below.

Amended claim 1 recites in “a system for initiating performance of a first process, comprising a set of tasks, to be performed by at least one individual to support healthcare delivery, a method performed by a data processor for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient” comprising “associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a sequence of tasks to be performed to support healthcare delivery to said patient; receiving a message identifying occurrence of said event; determining by using said repository, a particular sequence of tasks to be performed, in response to receiving said message identifying occurrence of said event; and initiating execution of performance of said particular sequence of tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay in response to receiving said message identifying occurrence of said event and determination pre-conditions associated with said task sequence are satisfied and said tasks of said task sequence are ready for performance by said at least one individual”. These features are not shown (or suggested) in Schloss.

The method of amended claim 1 supports “initiating execution of performance of said particular sequence of tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay in

response to receiving said message identifying occurrence of said event and determination pre-conditions associated with said task sequence are satisfied". The claimed arrangement initiates "execution of performance" of a "sequence of tasks" **"without scheduling** said performance and associated intervening scheduling time delay". The claimed arrangement is **fundamentally different** to the Schloss system. The Schloss system schedules tasks to be performed at a future time whereas the claimed arrangement does NOT schedule tasks to be performed at a future time.

The claimed arrangement initiates "execution of performance" of a "sequence of tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay". This is done "in response to receiving" a "message identifying occurrence" of an "event and determination **pre-conditions** associated with said task sequence **are satisfied** and said tasks of said task sequence are **ready for performance** by said at least one individual". In contrast, Schloss discloses "a system and method that **schedules** one or more events or event groups subject to conditions" (Schloss column 2 lines 28-32". This is in direct contrast with the claimed system which does NOT **schedule** tasks for performance at a future time at all. Rather the claimed system initiates "execution of performance" of a "sequence of tasks by at least one individual **without scheduling**" performance at a future time and without the **"associated** intervening scheduling **time delay**". In Schloss, following scheduling of a task "there are dynamic conditions that must be checked (at a prepare to perform time 252, 258) and honored before performing event 1 at the performance time 256" (column 4 lines 41-43). The claimed arrangement is not shown or suggested in Schloss which teaches a system fundamentally different to that of the claimed arrangement. It is the inefficiency involved in altering and updating healthcare worker schedules because of the need to update scheduling at a "prepare to perform time" that is addressed in the claimed system. The claimed arrangement provides substantial logistical and efficiency advantages in a modern complex healthcare environment (see Application page 5 lines 19-23).

Schloss teaches the **fundamentally different** approach of initiating scheduling of tasks and **subsequently** determining if the tasks are still appropriate at a "prepare to perform time" by determining whether to cancel, alter or modify a schedule, for performance of tasks at a future time, if dynamic conditions associated with the tasks are not satisfied. Specifically, Schloss in the Abstract states in "a **scheduling** system, events and/or groups of events are checked at a scheduling time to insure that certain fixed conditions associated with the event(s) are satisfied. The

events are also checked at one or more times, between scheduling time and a performance time (when the event(s) are to be performed), called ""prepare to perform time(s)."" At the prepare to perform time(s), certain dynamic conditions and/or data associated with the events are checked to determine whether the dynamic conditions are satisfied...If one or more of the dynamic conditions are not satisfied, the event(s) are...modified by cancelling, altering or postponing". Note, an event is defined differently in the claimed arrangement to the definition in Schloss. In Schloss an "event" is "any occurrence to be scheduled" (Schloss column 3 line 8) whereas in the claimed arrangement an "event" represents a "change in circumstances potentially affecting healthcare delivered to a patient". Schloss nowhere shows or suggests the claimed system which does **not schedule** tasks for performance at a future time at all. Consequently, withdrawal of the rejection of amended claim 1 under 35 USC 102(b) is respectfully requested.

Amended dependent claim 2 is considered to be patentable based on its dependence on claim 1. Claim 2 is also considered to be patentable because Schloss does not show (or suggest) "in response to examining predetermined information and said occurrence of said identified event, **substituting** at least one of said particular tasks for a task of an existing task sequence being performed". Schloss nowhere mentions or contemplates "substituting" a task for another task of a workflow. Schloss in column 8 lines 27-29 (or elsewhere) does not contemplate, discuss or mention substituting a task for another task. The term "substituting" as defined and used in the application comprises replacing a task with another task, for example. This is evident from the application on page 10 lines 1-5 which indicates "Selection of item 625 results in **replacement**" of a "default workflow process (or in another embodiment, **particular identified tasks** of the default workflow process)". Schloss in column 8 lines 27-29 fails to show, suggest mention or allude to such a feature.

Dependent claim 3 recites a method in which "said message includes an **event identifier** identifying said event and is generated by a second process comprising a second set of tasks and including the activity of also receiving an **identifier identifying a particular instance** of said first process". Contrary to the Rejection statements on page 7, Schloss fails to show this feature combination

Contrary to the Rejection statement on page 7 and elsewhere, Schloss in column 8 lines 21-22 does not show or suggest use of an "**identifier identifying a particular instance**" of a process. An "instance of a process" is a "copy (an instance) of the desired event associated particular workflow process" (Application page 8 lines

28-30) i.e. an instance of a process is a copy of a process. This is also the meaning attributed to the term by one of ordinary skill in the art at the time of the invention. The recognition of the patentee as “his or her own lexicographer” holds even when the patentee defined the word more broadly than its ordinary meaning (Jack Guttman, Inc. v. Kopykake Enter., Inc., 302 F.3d 1352, 1360, 64 U.S.P.Q.2d (BNA) 1302, 1307 (Fed. Cir. 2002). If the patent specification defines a claim term, either expressly or by clear implication, it acts as a dictionary for interpreting that claim term (Jack Guttman, 302 F.3d 1352, 1360, 64 U.S.P.Q.2d (BNA) 1302 at 1307 (Fed. Cir. 2002), Vitronics Corp. v. Conceptronic Inc., 90 F.3d at 1582, 39 U.S.P.Q.2d (BNA) at 1577. Schloss in column 8 lines 21-22 does not show or suggest use of an “identifier identifying a particular” **copy** of a process. Schloss in column 8 lines 21-22 relied on in the Rejection merely mentions “if the event is part of an event group, each event 210 in the event group 260 will require the identifier 305”. This has nothing to do with an instance or copy of process.

Schloss also fails to show or suggest use of an “event identifier” identifying an event comprising a “change in circumstances potentially affecting healthcare delivered to a patient”. An “event” as used in Schloss is “any occurrence to be scheduled” i.e. a task (Schloss column 3 line 8) and is NOT a “change in circumstances potentially affecting healthcare delivered to a patient”. Schloss in column 4 lines 42-44, column 7 lines 55-59 and column 8 lines 27-35 does not show or suggest such an “event identifier”.

Dependent claim 6 is considered to be patentable based on its dependence on claim 1 and for reasons given in connection with claim 3. Claim 6 is also considered to be patentable because Schloss does not show (or suggest) the feature combination of claim 6 involving “associating in a repository, said event with a process instance identifier identifying an instance of a process comprising said sequence of tasks”. As previously explained in connection with claim 3, Schloss does not show or suggest use of a “process instance identifier”. Schloss also does not suggest “**associating** in a repository, said **event with** a process **instance identifier** identifying an instance of a process comprising said sequence of tasks”. Contrary to the Rejection statement on page 4, the event group template and pointer to a header identifier of Schloss column 7 lines 55-59 has nothing to do with a “process instance identifier”.

Amended dependent claim 9 is considered to be patentable based on its dependence on claim 1. Claim 9 is also considered to be patentable because

Schloss does not show or suggest initiating “execution of performance” of a “sequence of tasks” “**without scheduling** said performance of said particular sequence of tasks to occur at a **particular time** and associated intervening scheduling time delay”. As previously explained in connection with claim 1, the claimed arrangement does NOT schedule tasks for performance at a future time at all. In contrast Schloss teaches a fundamentally different system involving scheduling tasks for performance at a future time (see Schloss Abstract).

Amended dependent claim 10 is considered to be patentable for reasons given in connection with claim 1 and because of its dependence on claim 1. Claim 10 is also considered to be patentable because Schloss does not show (or suggest) the feature combination involving “receiving information identifying a particular individual task of a task sequence being performed and including the activity of adapting said task sequence being performed by initiating continuation of said task sequence being performed from said identified particular individual task in response to occurrence of said event”. Column 12 lines 14-16 relied on in the Rejection does NOT show or suggest “adapting said task sequence being performed by initiating **continuation** of said task sequence being performed **from** said identified particular individual task in response to occurrence of said event”. The relied on section merely shows the addition of a second task (booster injection) to a first task (an injection). This does not show or suggest “adapting” a “task sequence” being performed by “initiating **continuation** of said task sequence being performed **from** said identified particular individual task in response to occurrence of said event”. The “**continuation**” of an **existing** “task sequence **being performed**” is not shown or suggested by the **addition** of a second (new) task to a first task.

Amended independent claim 11 is considered to be patentable for reasons given in connection with claim 1.

Dependent claim 12 is considered to be patentable based on its dependence on claim 11. Claim 12 is also considered to be patentable because Schloss does not show (or suggest) the feature combination of claim 11 in which “said associated parameter is for use by multiple different process task sequences and is stored at a location available for access by said multiple different process task sequences”. Contrary to the Rejection statement on page 6, Schloss provides no 35 USC 112 compliant enabling disclosure in Figure 2, column 3 lines 40-65, column 15 lines 46-53 or elsewhere, of providing global parameters “stored at a location available for access by said multiple different process task sequences”.

Dependent claim 13 is considered to be patentable based on its dependence on claim 11. Claim 13 is also considered to be patentable because Schloss does not show (or suggest) the feature combination including “verifying said associated parameter is compatible with predetermined value criteria as a pre-condition to providing said parameter to said predetermined process”. The claimed arrangement initiates “execution of performance of said particular process without scheduling said performance and associated intervening scheduling time delay in response to...determination pre-conditions associated with said task sequence are satisfied and said tasks of said task sequence are ready for performance by said at least one individual”. Consequently, “verifying said associated parameter is compatible with predetermined value criteria” is performed prior to “**execution of performance of said particular process without scheduling** said performance and associated intervening scheduling time delay”. In contrast, Schloss initiates **scheduling** of tasks to be performed at a future time based on fixed conditions and **confirms scheduling** based on dynamic conditions (Schloss Abstract). Whereas, the claimed arrangement does NOT schedule tasks at all but initiates **execution of performance of a task sequence based on “determination pre-conditions associated with said task sequence are satisfied” and verification “said associated parameter is compatible with predetermined value criteria as a pre-condition to providing said parameter to said predetermined process”**.

Dependent claim 19 is considered to be patentable based on its dependence on claim 11 and for reasons given in connection with claims 3, 7, 8 and 17. Claim 19 is also considered to be patentable because Schloss does not show (or suggest) “associating in a repository” an “event with a **process instance identifier** identifying an instance of said process comprising said sequence of tasks”.

Amended independent claim 20 is considered to be patentable for reasons given in connection with claims 1, 3 and 6. Claim 20 is also considered to be patentable because Schloss does not show (or suggest) “a method performed by a data processor for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient” comprising “associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a process instance identifier identifying an instance of a process comprising a sequence of tasks to be performed to support healthcare delivery to a patient; in response to occurrence of an event in a first process, receiving at least one message identifying occurrence of said event during said first process and identifying a parameter associated with said

event; acquiring said parameter associated with said event and providing said parameter to an instance of a second process identified using said repository; and adapting said instance of said second process by initiating execution of performance of a particular set of tasks without scheduling said performance and associated intervening scheduling time delay in response to receiving said at least one message". Schloss does not show (or suggest) "associating in a repository, at least one event potentially affecting healthcare delivered to a patient **with a process instance identifier** identifying an instance of a process comprising a sequence of tasks". Schloss does not recognize or contemplate the use of process instance identifiers (such identifiers identify **copies of a process** comprising a defined sequence of tasks, for example, Application page 8 line 29).

Schloss mentions templates as being "event groups with some omitted information that is provided by a user at scheduling time. Templates are used to facilitate the scheduling of common events and/or event groups" (Schloss column 4 line 66 to column 5 line 7). However, Schloss in column 8 lines 35-37 or elsewhere provides no mention, recognition or discussion of the use of "process instances" or "process instance identifiers". Schloss similarly does not show or suggest "adapting said **instance** of said **second process** by initiating execution of performance of a particular set of tasks **without scheduling** said performance and associated intervening scheduling time delay in response to receiving said at least one message". Column 8 lines 35-37 suggests nothing about process instances at all.

Dependent claim 21 is considered to be patentable based on its dependence on claim 20 and for reasons given in connection with claim 10. Claim 21 is also considered to be patentable because Schloss does not show (or suggest) the feature combination of claim 21 together with "including the activity of receiving an identifier identifying a particular individual task in said second process and wherein said adapting activity comprises **initiating processing** of said second process **from** said particular individual **task** in response to receiving said at least one message identifying occurrence of said event and determination said parameter is within predetermined acceptability criteria". Schloss in column 12 lines 14-35 and column 4 lines 41-54 does not suggest a feature combination as provided by claim 21.

Dependent claim 22 is considered to be patentable based on its dependence on claim 20 and for reasons given in connection with claim 12.

Dependent claim 23 is considered to be patentable based on its dependence on claim 20. Claim 23 is also considered to be patentable because Schloss does not show (or suggest) the feature combination involving “**sharing** data between said first and second process comprising sharing at least one of, (a) an **event** identifier identifying said event, (b) a **process** identifier identifying said first process and (c) an identifier identifying a particular **instance** of said first process”. As previously explained an “event” as defined in Schloss comprises “any occurrence to be scheduled” (Schloss column 3 line 8) whereas in the claimed arrangement an “event” represents a “change in circumstances potentially affecting healthcare delivered to a patient”. Consequently, Schloss in column 8 lines 21-26 or elsewhere does not suggest a feature combination as provided by claim 23. Column 8 lines 21-26 merely refers to event identifiers of events comprising “any occurrence to be scheduled” (Schloss column 3 line 8) and have nothing to do with “**sharing** data” between a “first and second **process**”.

Amended independent claim 26 is considered to be patentable for reasons given in connection with claim 1. Claim 26 is also considered to be patentable because Schloss does not show (or suggest) a “system for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient, said system being for use in initiating performance of a first process comprising a set of tasks to be performed by at least one individual to support healthcare delivery” comprising “at least one repository associating at least one event potentially affecting healthcare delivered to a patient with a sequence of tasks to be performed to support healthcare delivery to said patient; a communication interface for receiving a message identifying occurrence of said event; an event analyzer for using said at least one repository and for applying predetermined rules to interpret said identified event to determine a particular sequence of tasks to be performed in response to receiving said message identifying occurrence of said identified event; and a processor for **initiating execution** of performance of said particular tasks by at least one individual **without scheduling** said performance and associated intervening scheduling time delay in response to said occurrence of said identified event and determination pre-conditions associated with said task sequence are satisfied and said tasks of said task sequence are ready for performance by said at least one individual”.

Schloss, as already explained, does not show (or suggest) “**initiating execution** of performance of said particular tasks by at least one individual **without scheduling** said performance and associated intervening scheduling time delay in response to said occurrence of said identified event and determination pre-conditions



associated with said task sequence are satisfied and said tasks of said task sequence are ready for performance by said at least one individual”. Schloss also does not suggest in column 14 lines 41-56 (as relied on in the Rejection on page 9) “an **event analyzer** for using said at least one repository and for applying predetermined rules to interpret said identified event to determine a particular sequence of tasks to be performed in response to receiving said message identifying occurrence of said identified event”. As previously explained an “event” as defined in Schloss comprises “any occurrence to be scheduled” i.e. a task (Schloss column 3 line 8) whereas in the claimed arrangement an “event” represents a “change in circumstances potentially affecting healthcare delivered to a patient”. Consequently, Schloss does not suggest a feature combination as provided by claim 26.

Dependent claim 27 is considered to be patentable based on its dependence on claim 26. Claim 27 is also considered to be patentable because Schloss does not show (or suggest) the feature combination of claim 27 including “at least one repository” that “associates said at least one event with a **process instance identifier** identifying an instance of a process comprising said sequence of tasks”. As previously explained in connection with claim 20, Schloss does not suggest use of “**process instance identifier**” or such a feature combination at all.

Amended independent claim 28 is a combination of features of claim 2 and claim 1 and is considered to be patentable for the reasons given in connection with claim 2. Consequently, withdrawal of the rejection of claims 1, 2, 3, 6, 9-13, 19-23 and 26-28 under 35 U.S.C. 102(b) is respectfully requested.

## *II. Rejection under 35 U.S.C. 103(a)*

Claims 4, 7, 8, 15-18, 24, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,692,125 – Schloss et al. in view of U.S. Patent 6,401,138 – Judge et al. These claims are considered patentable for reasons given in connection with claim 1 and for the following reasons.

Dependent claim 4 is considered to be patentable based on its dependence on claims 1 and 3. Claim 4 is also considered to be patentable because Schloss with Judge does not show (or suggest) “said particular **instance** of said first **process** comprises a particular use of said process for a specific patient”. Contrary to the Rejection statements on page 7, neither Judge nor Schloss alone or together show or suggest use of “an **event identifier** identifying” a “change in circumstances

potentially affecting healthcare delivered to a patient” and that is “generated by a second process comprising a second set of tasks and including the activity of also receiving an **identifier identifying a particular instance** of said first process” comprising a “particular use of said process for a specific patient”. Neither reference suggests use of such an “event identifier” or such a process “instance” identifier.

Judge describes a patient context interface which stores changes to patient status and notifies other applications so that they can update their displays with the patient information (column 1 lines 38-43). The Judge system is unrelated to the claimed task sequence management and execution workflow technology and instead supports the synchronization of display of patient data by multiple applications. Specifically, Judge in column 21 lines 36-45, relied on in the Rejection, shows sharing patient context information between different executable applications and has no relevance to use of an identifier identifying a “particular **instance** of said first **process**” for a “particular use of said process” comprising a “set of tasks, to be performed by at least one individual to support healthcare delivery” for a “specific patient” as recited in claim 4.

As previously explained in connection with claim 3, an “instance of a process” is a “**copy**” of an “event associated particular workflow process” (Application page 8 lines 28-30). This is also the meaning attributed to the term by one of ordinary skill in the art at the time of the invention. Schloss with Judge does not show or suggest use of an “identifier identifying a particular” **copy** of a process. Contrary to the Rejection statement on page 11, Judge in column 9 line 13 does not show or suggest use of an “**identifier identifying a particular**” **copy** of a process at all. The NT process ID relied on is merely used to identify an application called by a Windows NT operating system. Specifically, “in order to identify the application with which each PCI\_ApplicationC object is associated...the NT process ID, the NT thread ID, and the NT process create time (the **values required to uniquely identify an application under NT**) are stored in the i\_processId **256**, i\_threadId **258**, and i\_createTime **260** members, respectively” (Judge column 9 lines 10-17). Therefore neither Judge nor Schloss individually or together contemplate or suggest use of an identifier identifying a “particular **instance** of said first **process**” for a “particular use of said process”.

Further, the claimed arrangement does **NOT schedule** tasks for performance at a future time. In addition, neither Schloss nor Judge, alone or together, show or suggest “execution of performance” of a “sequence of tasks by at least one

individual **without scheduling**” performance at a future time and without the “**associated** intervening scheduling **time delay**”.

Dependent claim 7 is considered to be patentable based on its dependence on claim 1 and for reasons given in connection with claims 2 - 4. Claim 7 is also considered to be patentable because Schloss with Judge does not show (or suggest) a system involving a “message” that “includes an event identifier identifying said event and a process identifier identifying a target **process to be replaced** by a predetermined process comprising said particular tasks”. The Rejection on page 8 relies on the erroneous premise that if a process has an identifier it would be obvious to use the identifier to identify a “target **process to be replaced** by a predetermined process comprising said particular tasks” in the context of the claim arrangement. The Rejection provides no showing or suggestion or motivation in either cited reference for identifying a “target **process to be replaced**” in any context. These features advantageously enable efficient initiation of workflow processes in a healthcare environment avoiding the inefficiency of prior processes as exemplified by the Schloss system. There is no recognition of the advantages of the claimed system nor any motivation or other reason for modifying the Schloss and Judge systems alone or together to include the claimed arrangement.

Dependent claim 8 is considered to be patentable based on its dependence on claims 1 and 7 and for reasons given in connection with claims 2-7. Claim 8 is also considered to be patentable because Schloss (in column 5 lines 29-30) with Judge does not show (or suggest) a system involving “searching a database containing records indicating **active** processes and **process instances** to identify active process instances of said target process to be **replaced**”.

Amended dependent claim 15 is considered to be patentable based on its dependence on claim 11 and for reasons given in connection with claim 7. Claim 15 is also considered to be patentable because Schloss with Judge does not show (or suggest) the feature combination of claim 15 involving “replacing initiating performance of another process with said initiating performance of said identified process”. The Rejection provides no showing or suggestion or motivation in either cited reference, for “replacing initiating performance of another process with said initiating performance of said identified process”. These features advantageously enable efficient initiation and execution of workflow processes in a healthcare environment avoiding the inefficiency of prior processes as exemplified by the Schloss system. There is no recognition of the advantages of the claimed system nor

any motivation or other reason for modifying the Schloss and Judge systems alone or together to include the claimed arrangement.

Dependent claim 16 is considered to be patentable for reasons given in connection with claim 7.

Dependent claim 17 is considered to be patentable based on its dependence on claims 11 and 16. Claim 17 is also considered to be patentable because Schloss with Judge does not show (or suggest) “searching a database containing records indicating active processes and process instances to **identify active process instances** of said target process to be **replaced**”. As previously explained in connection with claims 7 and 8, the Rejection provides no showing or suggestion or motivation in either cited reference for identifying a **process to be “replaced”** or of identifying “**active process instances** of said target process to be “**replaced**”. These features advantageously enable efficient initiation of workflow processes in a healthcare environment avoiding the inefficiency of prior processes as exemplified by the Schloss system. There is no recognition of the advantages of the claimed system nor any motivation or other reason for modifying the Schloss and Judge systems alone or together to include the claimed arrangement. Column 5 lines 29-30 of Schloss relied on in the Rejection on page 9 have nothing to do with replacing processes or active process instances.

Dependent claim 18 is considered to be patentable based on its dependence on claim 11 and for reasons given in connection with claims 3, 7, 8 and 17. Claim 18 is also considered to be patentable because Schloss with Judge does not show (or suggest) “receiving information identifying **active process instances** and storing records in a database indicating said identified active process instances”.

Dependent claim 24 is considered to be patentable based on its dependence on claim 20 and for reasons given in connection with claims 3, 7, 8 and 17.

Dependent claim 25 is considered to be patentable based on its dependence on claim 20 and for reasons given in connection with claims 3, 7, 8 and 17.

Amended independent claim 29 is a combination of features of claim 6 and claim 1 and is considered to be patentable for the reasons given in connection

with claim 6. Consequently withdrawal of the Rejection of claims 4, 7, 8, 15-18, 24, 25 and 29 under 35 USC 103(a) is respectfully requested.

### *III. Rejection under 35 U.S.C. 103(a)*

Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,692,125 – Schloss et al. in view of U.S. Patent 6,004,276 – Wright et al. These claims are considered patentable for reasons given in connection with claim 1 and for the following reasons.

Dependent claim 5 recites a method in which “filtering a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and **excluding** other messages immaterial to said healthcare delivered to said patient”. These features, in combination with the features of claim 1, are not shown or suggested in Schloss in combination with Judge based on its dependence on claim 1 and for reasons given below.

As recognized in the Rejection on page 12, Schloss fails to show or suggest “**filtering** a plurality of received messages to identify said message identifying **occurrence of an event** potentially affecting healthcare delivered to a patient”. However, the Rejection erroneously states Wright discloses this limitation in column 42 lines 37-41. Wright describes a cardiology system based on open architecture for the purpose of receiving patient information and cardiac monitoring output, interpreting this information, and displaying it along with its interpretation. It does not involve initiation of task sequence (workflow) processes and is unrelated to the claimed arrangement.

Specifically, Wright in column 42 lines 37-41 states “events may be prioritized to allow filtering and masking during a query” and defines events as “the event type is the type or class of event (user-related, **data transfer**, etc.), and the event identifier is the event that occurred” (Wright column 39 lines 63-66). Wright therefore uses the term “event” to encompass computer system events such as data transfer etc. Wright also uses the term “event data” to refer to data associated with a cardiac stress test. “The text document segments of a report are generated from pre-test data, event data and post-test data. The pre-test data may include data such as patient demographics and the reason for the test. The event data preferably includes information such as a ten-second ECG analysis and measurements, blood pressure

data and comments” (Wright column 65 lines 60-66). Consequently Wright does NOT show or suggest (or provide any 35 USC 112 enabling disclosure) of “**filtering** a plurality of received messages to identify said message identifying **occurrence of an event** potentially affecting healthcare delivered to a patient” and “**excluding** other messages immaterial to said healthcare delivered to said patient”.

Incorporating the Wright system filtering in the scheduling system of Schloss results in a system for initiating scheduling of tasks and for subsequently determining if the tasks are still appropriate at a “prepare to perform time” involving filtering computer system messages indicating data transfers and the like. Such a system does NOT filter “a plurality of received messages to identify said message identifying **occurrence of an event** potentially **affecting healthcare delivered to a patient**”. Further, there is no suggestion in the combined references of use of an “**identifier identifying a particular instance**” of a process in combination with use of an “event identifier” identifying an event comprising a “change in circumstances potentially affecting healthcare delivered to a patient”. Also, there is no recognition of the specific scheduling problem of inefficiency involved in altering and updating healthcare worker schedules because of the Schloss (with Wright) system need to update scheduling at a “prepare to perform time” that is addressed in the claimed system. There is also no other reason or motivation in either reference for providing the claimed feature arrangement.

The claimed arrangement does NOT **schedule** tasks for performance at a future time. In addition, neither Schloss nor Wright, alone or together, show or suggest “execution of performance” of a “sequence of tasks by at least one individual **without scheduling**” performance at a future time and without the “**associated** intervening scheduling **time delay**”. Consequently withdrawal of the Rejection of claim 5 under 35 USC 103(a) is respectfully requested.

Dependent claim 14 is considered to be patentable based on its dependence on claim 11 and for reasons given in connection with claim 5. Consequently withdrawal of the Rejection of claims 1-29 is respectfully requested.

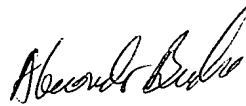
#### *IV. Information Disclosure Statement*

Enclosed is an Information Disclosure Statement pursuant to 37 CFR 1.97 citing a commonly owned co-pending patent application concerning similar

subject matter. The cited reference is not deemed to disturb the patentability of the claims as amended herein.

In view of the above amendments and remarks, Applicants submit that the Application is in condition for allowance, and favorable reconsideration is requested.

Respectfully submitted,



Alexander J. Burke  
Reg. No. 40,425

Date: August 2, 2005

Siemens Corporation,  
Customer No. 28524  
Tel. 732 321 3023  
Fax 732 321 3030

**Certificate of Mailing Under 37 C.F.R. 1.8**

**I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450**

2 August 2005  
Date



Alexander J. Burke  
Reg. No. 40,425